

DFEH News Brief

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NEW LAWS WILL HELP PROTECT CALIFORNIA'S CIVIL RIGHTS

SACRAMENTO - Legislation signed by Governor Schwarzenegger will help protect civil rights, announced the Department of Fair Employment and Housing (DFEH) today. The newly signed bills will help purge discriminatory property records, extend the statute of limitations for minors to file discrimination complaints, and clarify that the Unruh Civil Rights Act and related statutes include the protected bases of marital status and sexual orientation.

"California has always been at the forefront of protecting our citizens' civil rights," said DFEH Director Suzanne M. Ambrose. "These bills continue that proud tradition."

Among the civil rights measures that the Governor signed which will take effect on January 1, 2006 are:

AB 394 by Assembly Member Niello makes it easier for property owners to strike unlawful restrictive covenants affecting real property. Unlawful restrictive covenants contain discriminatory language that is no longer legal. For example, an unlawful restrictive covenant in a housing development may contain language that prohibits a person of a certain race, gender, or religion from owning property in that development.

This statute will encourage the deletion of unlawful restrictive covenants and make it easier to remove this illegal and offensive language from recorded documents affecting real property by simplifying the process of deletion.

AB 1669 by Assembly Member Chu extends the statute of limitations for filing a complaint with the DFEH for persons under the age of eighteen. A complaint of discrimination could be filed with the DFEH one year from the date the victim turns 18 years old. For example, if a 16 year old is employed as a food server and subjected to sexual harassment, she would be able to file a complaint at anytime up until her nineteenth birthday. Under current law, that same person would only have 12 months from the incident to file a complaint.

Individuals under the age of 18 commonly lack the resources and/or capacity to protect their legal rights. AB 1669 provides underage victims of discrimination the opportunity to obtain redress for such unlawful acts for up to one year after they reach the age of majority.

AB 1400 by Assembly Member Laird clarifies that existing civil rights laws conform to include the same protected classifications throughout. For example, business establishments, currently prohibited from discriminating in the provision of services against persons on the bases of sex, race, color, religion, ancestry, national origin,

disability, or medical condition, will also include marital status and sexual orientation to the list of protected bases. This bill also applies to the existing hate violence statute that ensures that individuals have the right to be free from violence or intimidation by threat of violence against their person or property because of race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, disability or position in a labor dispute, and would now include marital status as a protected basis.

For more information about the work of the DFEH or the laws it enforces, including the Fair Employment and Housing Act, Unruh Civil Rights Act, and Ralph Act, call (800) 884-1684 (employment, public accommodation, hate violence); (800) 233-3212 housing; (800) 700-2320 TTY, or visit the DFEH's website: www.dfeh.ca.gov.

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